



REQUEST FOR PROPOSALS
CITYSCAPE AT VALLEY COURT
1170 GENESEE STREET
ROCHESTER, NEW YORK 14619

Issued: March 2010



*Department of Neighborhood &
Business Development*

City Hall, 30 Church Street, Rm. 005-A

Rochester, New York 14614

585-428-6922

Robert J. Duffy, Mayor
City of Rochester, NY

REQUEST FOR RESIDENTIAL DEVELOPMENT VALLEY COURT @ 1170 GENESEE STREET

TABLE OF CONTENTS

- I. Purpose
- II. Introduction/CityScape
- III. Site Description:
 - A. Existing Buildings Description
 - B. Additional Site Description
 - C. Environmental Conditions
 - D. Demolition/Asbestos Abatement
- IV. Community Input – 19th Ward Community Association
- V. Proposal Submission Requirements:
 - A. Conceptual Plans & Elevations
 - B. Marketing Plan
 - C. Minimum Purchase Price
 - D. Financial Information
 - E. Developer Experience
 - F. Zoning Compliance/Permit Requirements
 - G. Infrastructure Requirements
 - H. Environmentally Sensitive Rehabilitation, Redevelopment, Demolition and New Construction Methods
 - I. Issues and Concerns
- VI. Evaluation Criteria
- VII. Schedule and Additional Information
- VIII. Attachments:
 - A. Site Plan
 - B. Zoning:
 - Sample Site Plan Review
 - Zoning Code: Article XVII, Planned Development District
 - C. Compact Disc (Files in PDF format):
 - Phase I Environmental Assessment
 - Phase II Environmental Assessment
 - Market Study: Bruckner, Tillett, Rossi, Cahill & Associates
 - Housing Market Study Recommendations
 - Adaptive Reuse Study: Bero Architecture P.C
 - Slate Roof Condition: Barton & Logudice P.C
 - Development Study: Barkstrom & LaCroix Architects
 - Architectural Site Rendition: Timothy Raymond AIA
 - Enterprise Community Partners Green Communities Criteria
 - Asbestos Surveys

REQUEST FOR PROPOSALS

VALLEY COURT @ 1170 GENESEE STREET

ROCHESTER, NEW YORK

I. PURPOSE:

The City of Rochester is seeking proposals from experienced real estate developers to construct market-rate housing on a 4 ½ acre parcel located at 1170 Genesee Street and four adjacent vacant lots totaling approximately .35 acres at 53, 57, 63, and 69 Oak Hill View. All development proposals must include owner-occupant, market rate residential housing. This 1170 Genesee Street site, currently known as Valley Court, contains 3 apartment buildings in the middle of the site. In addition, there were two other apartment buildings located at the front of the site that the City recently demolished. The three remaining buildings will be offered with the sale of the land as part of this request for proposal. Constructed in the early 1900's, these three buildings originally housed a Jewish orphanage and today have potential historical attributes.

The objectives of this Request for Proposals are as follows:

- To increase the City of Rochester's tax base.
- Create opportunities for home ownership.
- Introduce housing units with quality urban designs that address unmet demands of the buying public, while remaining sensitive to traditional architectural styles in the adjacent neighborhood.
- The receipt of satisfactory revenue from the sale of real estate.
- To encourage environmentally sensitive construction practices.

In order to determine the feasibility of converting the three former orphanage buildings to residential use, the City of Rochester contracted with Bero Architecture to perform an adaptive reuse study for redevelopment. Bero Architecture's report is included with this proposal request. Developer submissions must address these three buildings and whether or not the buildings will be rehabilitated and combined with new construction on the remainder of the site.

II. INTRODUCTION/CITYSCAPE:

The CityScape Initiative was announced in the Fall of 2003, with the goal of providing market-rate for sale single family units in a variety of combinations to meet the demand for newly constructed urban homes. CityScape will blend projects into existing neighborhoods and enhance the traditional urban experience while offering modern amenities to meet today's lifestyle needs. The goal of CityScape is for the City to work in partnership with real estate developers to make home purchase opportunities available for middle income and upper income buyers.

The first CityScape at Newcroft Park was a twenty-five unit single family subdivision located off of Atlantic Avenue west of North Winton Road. The City of Rochester partnered with the Rochester Home Builders Association to present the first new market rate for sale homes in the city for over fifteen years.

The second offering of CityScape is now at Valley Court and comes at an exciting time for development in the south river corridor.

Recent developments in the immediate area include a four story, 80-room extended stay hotel and adjacent 5,000 square foot restaurant, located at the western foot of the pedestrian bridge spanning the Genesee River to the University of Rochester. Adjacent to the hotel is a new a public waterfront promenade & boat landing located on the Genesee River/Erie Canal, linking into the existing Genesee Riverway Trail system as well as Genesee Valley Park. Boaters along the Erie Canal can dock at the landing.

Directly across the street from the hotel, on the northeast corner of Brooks Avenue and Genesee Street, is a new 2-story, 28,000 square foot building, offering a mix of office space on the second floor and a minimum of 6,000 square feet of retail on the first floor. The University of Rochester is a tenant in this building.

Other completed developments along Genesee Street include the renovated 4,000 square foot building housing Dalberth Sporting Goods and the renovated two-story 6,000 square foot building at 955 Genesee Street (corner of Brooks Avenue and Genesee Street). This newly renovated building is the current home of a Boulder Coffee Company. Just north of Brooks Avenue & Genesee Street along the Genesee River, is a new privately managed University of Rochester residence hall that is fully occupied.

The City of Rochester has invested over four million dollars in public improvements for this area, with over million in additional funding dollars planned for future parkland and gateway improvements between Elmwood Avenue & Brooks Avenue.

Upcoming development plans includes a six story mixed-use building just north of the new hotel. This structure will include a first floor, 5,000 square foot restaurant with an additional five floors of student housing apartments. Adjacent to the new mixed-use building is a proposed two story, 6,800 square foot Jewish Community Center at the southeast corner of Genesee Street and Brooks Avenue.

III. SITE DESCRIPTION:

The City of Rochester is seeking proposals to construct market-rate housing that includes owner occupancy on a 4 ½ acre parcel located at 1170 Genesee Street and four adjacent vacant lots at 53, 50, 63 & 67 Oak Hill View. The site is an attractive location due to its close proximity to the Genesee River, the University of Rochester/Strong Medical Center and its abutment to Genesee Valley Park, making it an appealing and ready-made market for buyers interested in living close to their workplace and natural amenities.

To determine the best possible residential re-use of the site, the City is interested in understanding various possible development scenarios which would facilitate the sale of market rate construction that includes owner-occupancy. As noted previously, the site currently contains three original apartment buildings. Two newer apartment buildings, located to the front of the property were previously demolished by the City of Rochester. Inclusion of the three potentially historic structures in the final site plan is an option – not a requirement - should retention of these buildings prove economically feasible and appealing in the final development plan.

A. Existing Buildings Description – The site consists of three (3) apartment buildings and one storage garage. These three (3) two story brick apartment buildings are being offered with this proposal request in addition to the land. The intent of this offering is to determine interest in and feasibility of converting the buildings to residential units in conjunction with new owner occupied construction on the remainder of the site.

In order to aid potential developers with the feasibility of developing the property, the City of Rochester commissioned three studies and one architectural site renditions. In addition, asbestos surveys were performed for each of the three apartment buildings. All these documents are included with this proposal request in electronic format on compact disc.

1. Bero Architecture, contracted to perform an adaptive reuse study to determine the feasibility of renovating these buildings. Due to the potential historical significance of these buildings, Bero Architecture performed their analysis both with and without the assumption of using New York State Historic Tax Credits.
2. Barton & Logudice, P.E., contracted to investigate the condition of the slate roof on each of the three buildings and to determine a reasonable

estimate of their remaining service life. Barton & Logudice's findings determined the origin of the slate to be from Vermont with an estimated remaining life of 30 years.

3. Barkstrom & LeCroix Architects: performed a development study in 2005 for the City of Rochester. Site details and development designs are illustrated for possible future use.
4. Timothy Raymond, AIA, CNU Architect from the City of Rochester Bureau of Buildings provided a conceptual site plan with elevations as a potential idea development of the site.
5. Lozier Environmental Services, Completed asbestos surveys of three apartment buildings.

B. Additional Site Description – The remainder of the site at 1170 Genesee Street consists of a road, parking lot, storage garage and vacant land. The removal or alteration of all remaining trees, miscellaneous vegetation, storage facility, roads and parking surfaces shall be the responsibility of the developer chosen for the project.

As part of the 1170 Genesee Street site, the City is also offering four vacant City owned parcels directly adjacent to the 1170 Genesee Street parcel. These lots with a combined 15,560 square feet are:

<u>Property</u>	<u>Lot Size</u>
53 Oak Hill View	40' x 100'
57 Oak Hill View	40' x 98'
63 Oak Hill View	40' x 96'
69 Oak Hill View	40' x 95'

The terrain of the property slopes downward for Genesee Street to S. Plymouth Avenue. From Genesee Street to S. Plymouth Avenue, the property changes from apartments and a rear parking lot to a grass lawn and finally to trees and thick brush.

C. Environmental Conditions – The City of Rochester had both a Phase I and Phase II environmental assessment performed at the site. Both Phase I and Phase II environmental assessments may be found as PDF files on the included compact disc. The Phase I and Phase II assessments revealed no significant environmental contamination at the site. Miscellaneous spills and underground fuel tanks discovered have been cleaned & removed by the City of Rochester.

D. Demolition/Asbestos Abatement – In the event that the successful development proposal does not include the renovation & reuse of any or all of the existing three apartment buildings, the City of Rochester will contract for and fund the asbestos abatement and demolition of such structure(s).

IV. COMMUNITY INPUT – 19th WARD COMMUNITY ASSOCIATION:

The project site is located within the boundaries of the 19th Ward Community Association; a neighborhood organization that represents the residents of this section of the city. Prior to submission of a development proposal, the City of Rochester strongly recommends that developers contact the 19th Ward Community Association concerning their development proposal. Inquiries to the 19th Ward Community Association should be addressed to the following:

Mr. JB Afo-Manin, President
19th Ward Community Association
216 Thurston Road
Rochester, NY 14619
Phone: 585-328-6571
e-mail: afreeka1@hotmail.com

V. PROPOSAL SUBMISSION REQUIREMENTS:

PLEASE PROVIDE THE FOLLOWING ITEMS IN YOUR PROPOSAL

A. Conceptual Plans, Elevations and Specifications:

Submission must address one or more of the following site development scenarios:

- 1) Preservation All Remaining Buildings: Submit one or more site plan scenarios, with recommended street design, that incorporate townhouse development and/or other single family (attached or detached) style residences with the existing three brick buildings if feasible. Submission must include an evaluation of the three (3) brick apartment buildings located in the middle of the site. Specifically, the proposal must address plans for high quality restoration and adaptive reuse of the three buildings into a development plan for the remainder of the site. Indicate whether that decision is based on an application and approval by New York State for Historic tax credits. It is understood that the receipt of historic tax credits would result in a compliance period when the buildings could not be owner occupied. The proposal must describe the possibilities for conversion to owner-occupancy after the compliance period.
- 2) Preservation of One or Two Remaining Buildings: Submit one or more site plan scenarios, with recommended street design, that incorporate townhouse development and/or other single family (attached or detached) style residences with one or tow of the existing three brick buildings if feasible. Submission must include an evaluation of the three (3) brick apartment buildings located in the middle of the site. Specifically, the proposal must address plans for high quality restoration and adaptive reuse of the building(s) into a development plan for the remainder of the site. Indicate whether that decision is based on an application and approval by New York State for historic tax credits. It is understood that the receipt of historic tax credits would result in a compliance period when the buildings could not be owner occupied. The proposal must describe the possibilities for conversion to owner-occupancy after the compliance period. Proposals that plan for the removal of any of these buildings must be clearly stated, including estimated costs for asbestos removal and demolition.
- 3) Removal of All Remaining Buildings: Submit one or more site plan scenarios, with recommended street design, that incorporates townhouse development and/or other single family (attached or detached) residential development with the assumption that the existing buildings will be demolished. Proposals that plan for the removal of these buildings must clearly state the understanding that the parcel will not transfer title until the City completes the asbestos abatement/demoliton.

All site plans should include street, sidewalks, tree-lawn and lot configurations, including a conceptual footprint for the buildings. Please Note: The vacant land directly east of the 1170 Genesee Street Parcel is designated park land. No thru-fare from Genesee Street to S. Plymouth Avenue will be allowed in the site development.

Proposal submission should include one or more site plans, elevations and floor plans and be a minimum one eighth inch (1/8") scale. The submission should address the following architectural features:

- Type of Construction
- Exterior Façade Design
- Window Design/Placement
- Roof Pitch
- Floor Plans
- Parking Availability
- Exterior Amenities (i.e. patios, decks, etc.)
- Landscaping
- Common Area Amenities
- Traffic Flow
- Security Features
- Other Architectural Features

ACCESS TO THE BUILDINGS WILL BE AVAILABLE ON THURSDAY, APRIL 6, 2010 FROM 10:00 AM UNTIL 12:00 PM. FOR ADDITIONAL ACCESS, CALL CURT COLOMBO, CITY BUREAU OF BUSINESS & HOUSING DEVELOPMENT, AT 585-428-6922.

B. Marketing Plan – A market study was prepared in February 2008 by Bruckner, Tillett, Rossi, Cahill & Associates to determine the optimal type of residential construction the site will support. The study concluded that the estimated market value to be \$155,000 for the land and \$255,000 for the combined land and buildings, with a gross sell out value of \$5,660,000. A copy of the market analysis is included on the compact disc with this proposal. In December 2009, this same firm provided an updated appraisal report of the site. A copy of that report is also included on the compact disc. The provided market analysis is for informational purposes only and is not a guarantee of future sales prices.

Additional housing market information is available from the City-Wide Housing Market Study, completed in April 2007 by Interface Studios. The market study was completed by Zimmerman-Volk and indicated the City-Wide housing market potential plus housing market information in five study areas. While the area where the site is located was not specifically studied, the analysis indicated a potential for several for-sale unit types city-wide, including: new single family

attached, new single family detached, single story units marketed to allow residents to “age in place,” and condominium units in renovated historic buildings. Additional information about the study can be found at: www.cityofrochester.gov/article.aspx?id=8589940890. A summary of the study’s recommendations is included in the attached compact disc.

Marketing Plan – Submission Requirements: When submitting a proposal, please include a marketing plan that includes, at a minimum, the following items:

- Identification of Target Market.
 1. How will the units be marketed for sale
 2. Pre-sale marketing plan
 3. Promotion schedule.
- Planned construction phasing.
- Marketing Team – Include experience with City real estate and how the team will generate sales. It is understood that the receipt of historic tax credits would result in a compliance period when the buildings could not be owner occupied. The proposal must describe the possibilities for conversion to owner-occupancy after the compliance period and how leases will be generated.

C. Minimum Purchase Price:

As described in Section IV.A., proposals submitted in response to this RFP may envision distinctly different development scenarios. Some may entail preservation of the remaining buildings, while others may require removal of the remaining buildings and redevelopment of a cleared site. In recognition of the fact that respondents may propose viable plans for either alternative, the City of Rochester has established a dual pricing strategy. The Market Study and Summary Appraisal Report, which is included with this proposal, provides separate valuations for the site as improved, and the site as if vacant. The pricing structure is as follows:

- For proposals in which the developer will retain the existing buildings, the City of Rochester has established a minimum sale price of \$255,000. This sale price takes into account the value of the remaining buildings in their as is condition. It includes the four lots on Oak Hill View as well as the entire Valley Court parcel. For all proposals involving renovation of the remaining buildings, the sale price of \$255,000 should be included in the cost estimate submitted in response to this RFP.
- For proposals in which the all remaining buildings are removed, the City of Rochester has established a minimum sale price of \$155,000. This price

reflects the land value only, and includes the four lots on Oak Hill View as well as the entire Valley Court parcel as if vacant. While this price is significantly lower than the price of the parcel as improved, it is not intended as an incentive for demolition. Instead, it recognizes the existing buildings have no contributory value for proposals which reflect demolition and redevelopment of a cleared site.

D. Financial Information – Submission Requirements:

- Cost estimates for all land assembly, construction and soft costs. Include assumptions.
- Table showing the source of all funds to undertake development (including bank participation, owner equity, and any other sources that may be pursued). The proposed financing arrangements should be verified by a letter from the financial source/institution indicating the project has been reviewed and the source/institution is willing to favorably consider a loan application to finance the project.
- Expected terms for the project financing by source, including loan amounts, interest rates, term length, and any special loan covenants/requirements.
- Ten-year project pro-forma including all capital costs, operating expenses, income/revenues. Include all assumptions.
- Timetable for construction and occupancy.
- Contingencies that are necessary in order to make this project feasible, including pre-sale requirements. Indicate the time frame necessary to remove each contingency.

E. Developer Experience: Provide the following:

- Development Team – Identify all principals who will be involved in the project. Include their names, business addresses, resumes and specific roles and functions they will undertake.
- Provide a description of projects that have been accomplished within the last five (5) years. Projects shall include both new construction and rehabilitation and especially historic preservation. Include dates of and initiation and completion. In addition, please submit a listing of all current projects and development commitments for the next twelve (12) months.
- Indicate a date when you will be available to begin construction.

F. Zoning Compliance/Permit Requirements:

Proposal submission shall assure that development will comply with all applicable zoning regulations. The development parcel is currently zoned R-1, or Low Density Residential District. In the event that the new development will require the site to be re-zoned as a Planned Development District, the City will assist the developer with the application process. A copy of Article XVII of the City's Zoning Ordinance pertaining to Planned Development Districts, along with a sample site plan review form are included in Attachment B of this proposal request.

Building permits will be required for general construction, plumbing and electrical work. Complete details of the zoning requirements are available from the City of Rochester's website: www.cityofrochester.gov, or by contacting the City's Zoning Office at (585) 428-6643.

G. Infrastructure Requirements:

Proposal submission shall include all developer requirements for roadway, right-of-way and other infrastructure improvements necessary for site development. Submission must address assumed responsibility for providing these improvements including all associated costs.

H. Environmentally Sensitive Rehabilitation, Redevelopment, Demolition and New Construction Methods:

The City of Rochester is committed to encourage efforts to increase and enhance building methods that promote sustainability, increase energy efficiency and reduce adverse impacts on the environment. Therefore, preferences will be given to proposal designs that incorporate environmentally sensitive rehabilitation, redevelopment, demolition and new construction standards and methods.

Proposal submissions should indicate how the project will utilize green building methods to address the aspects of development listed below.

- **Integrated Design:** An integrated design process incorporates sustainability up-front, uses a holistic and total-systems approach to the development process, and promotes good health and livability through the building's life cycle. Examples include utilizing a developer, architect, engineer, landscape architect design specialist, contractor who is experienced with green building. The team must be committed to environmentally responsive, resource conserving and healthy building principles and practices.

- **Site, Location and Neighborhood Fabric:** The site provides unique opportunities to create a more walkable, livable community, while helping restore, invigorate and sustain livable development patterns. Examples include making the site safer and more inviting for walkers and bicyclists and making connections to surrounding amenities.
- **Site Improvements:** Sustainable design and site planning integrate design and construction strategies to: minimize environmental site impacts; enhance human health; reduce construction costs; maximize energy, water, and natural resource conservation; improve operational efficiencies, and promote alternative transportation. Examples include appropriate surface water management, use of vegetation to reduce energy use and erosion control.
- **Water Conservation:** Water efficiency conserves finite fresh water resources and reduces utility bills. Examples include specifying and installing water-efficient appliances and plumbing fixtures, implementing low-water landscape and irrigation strategies, and taking advantage of rainwater catchment.
- **Energy Efficiency:** Energy efficiency helps to maximize resident comfort and health, and reduces utility bills. Examples include the installation of high efficiency mechanical and electrical systems.
- **Materials Beneficial to the Environment:** Reducing, reusing and recycling building materials conserve natural resources and reduce emissions associated with manufacturing and transporting raw materials. Examples include the use of recycled building materials, recycling and reuse of existing construction and demolition debris.
- **Healthy Living Environment:** Creating a healthy living environment involves the use of materials that do not cause negative health impacts for residents or workers, especially for more sensitive groups such as children, seniors and individuals with existing respiratory problems and compromised immune systems. Examples include limiting the use of hazardous materials on the job site and reducing the use of Volatile organic compounds (VOC) paints and primers.

The criteria above were inspired by the work of Enterprise Community Partners through the Green Communities Initiative. Additional information on this initiative is provided with the RFP and is available at www.greencommunitiesonline.org. This RFP does not establish green community standards for the development. However, the proposals will be evaluated according to the extent that the projects will address the above criteria. This will be included as a consideration during proposal review.

I. Issues and Concerns:

The proposal should identify any issues or concerns in relation to the project. Any deletions or additions to the scope of the project should be clearly stated, with reasons and recommendations as to why the changes are being proposed. Any financial assistance requested from the public sector must be presented in detail with any projected budget gaps clearly calculated and specifically indicated.

VI. EVALUATION CRITERIA

A project review committee will be formed with members appointed from various City departments.

Proposals will be evaluated using the following criteria:

- 1) Site Plan and Design (30%):
 - Strength and compatibility of use and design.
 - Quality and compatibility of the proposed development with the existing structures on the site (if part of proposal).
- 2) Financing Plan (30%):
 - Asking price offered to the City.
 - Proposed sales price in relation to design and specifications.
 - Strength of the financing plan based on specific details in a proposal letter from a financial institution. Information that will be evaluated shall include, but is not limited to:
 - Equity requirements request as prescribed by the lender and proof of such equity by the developer.
 - Experience of the developer in financing, implementing and constructing projects of similar size and scope.
 - Terms and conditions of the construction financing, which includes a marketing plan and number of pre-sales required for construction.
 - Public financing expectations.
 - Contingencies.
- 3) Development Team Experience (15%): Experience of the development team with similar projects.
- 4) Project Readiness (15%):
 - Expediency of the development and construction timetable.
 - The reasonableness of contingencies.
 - Issues and concerns that will affect project success.
- 5) Use of Sustainable and/or Environmentally Sensitive (“Green”) Construction Standards and Products (10%).

VII. SCHEDULE AND ADDITIONAL INFORMATION:

A. Request For Proposal Informational Meeting:

City staff will be available to explain/clarify requirements and respond to questions.

DATE: March 31, 2010

TIME: 2:00 PM

PLACE: City Hall, 30 Church Street
Room 223B

B. Buildings Walk-Through:

DATE: April 6, 2010

TIME: 10:00 AM – 12:00 PM

PLACE: 1170 Genesee Street

C. Proposal Submission:

Due Date: Five (5) copies of the proposal must be received by 4:00 p.m. on June 4, 2010 at the following address:

Bureau of Business & Housing Development
City Hall, Room 005A
30 Church Street
Rochester, NY 14614
ATTN: Curt Colombo, Principal Staff Assistant (585-428-6922)

D. Developer Selection:

Recommendations on the selection of a Developer are expected to be made in the Summer of 2010. Every effort will be made to expedite and shorten this schedule where possible.

No proposal shall be deemed accepted until: 1) the execution of a land disposition agreement between the City and the Developer and; 2) authorization of sale by the Rochester City Council.

E. Additional Submission Information:

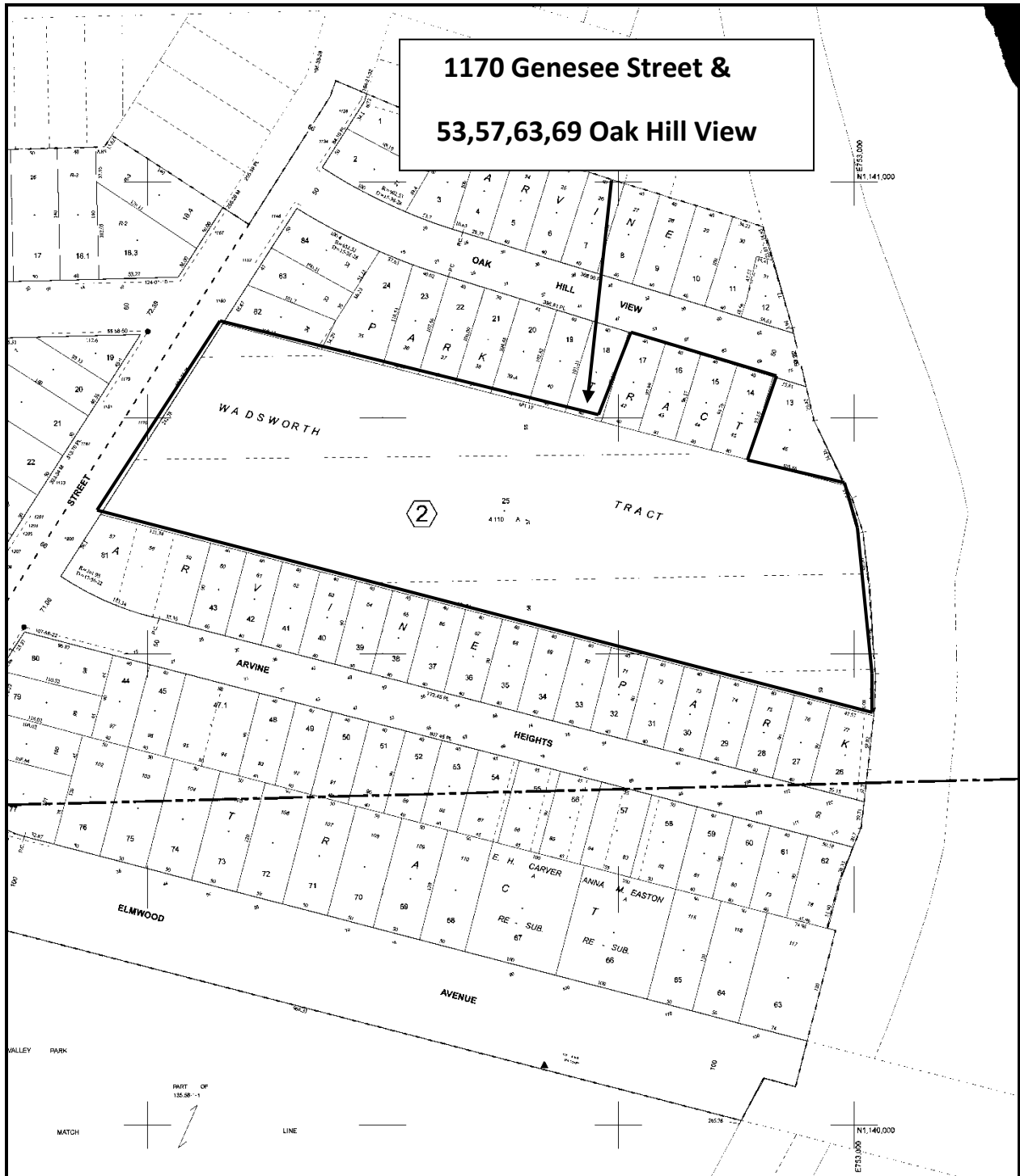
Only proposals that comply with all the objectives, provisions and requirements of this Request for Proposals will be considered for review. The City of Rochester reserves the right to independently investigate or request clarification of the contents of any proposal, including requesting that any prospective purchaser provide additional information, or make a presentation. All materials submitted in response to this Request for Proposals become the property of the City of Rochester, without obligation of the City to return such materials. All determinations of completeness of any submission and compliance with the objectives, provisions and requirements of this Request for Proposals, and the eligibility or qualification of any developer, shall be at the sole and absolute discretion of the City of Rochester.

Subsequent to the submission of the proposals, the City of Rochester, in its sole and absolute discretion, may enter into parallel negotiations with two or more developers, may designate two or more developers for “short list” consideration, may request best and final offers and/or may conduct other additional competitive proceedings with respect to the potential disposition of the property described in this Request for Proposals.

No brokerage fees, finder’s fees, commissions or other compensation will be payable by the City of Rochester in connection with selection of a developer. The City of Rochester has the right in its sole and absolute discretion to reject any and all proposals, to accept any proposal and to elect not to proceed with the process set forth in this Request for Proposals.

ATTACHMENT A

SITE PLAN



ATTACHMENT B

ZONING INFORMATION –

SITE PLAN REVIEW

&

PLANNED DEVELOPMENT DISTRICT



SITE PLAN REVIEW
(Section 120-191D)
BUREAU OF BUILDINGS AND ZONING
CITY HALL, 30 CHURCH STREET, ROOM 125B
ROCHESTER, NEW YORK 14614

APPLICATION

Applications **MUST** be submitted by appointment. Please call **Dorraine Laudisi at (585) 428-6698** to schedule an application intake meeting.

Office Use	<input type="checkbox"/> <u>MINOR SITE PLAN REVIEW REQUIREMENTS:</u>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1. Fee: \$250.00. 2. One (1) copy of the Denied Certificate of Zoning Compliance (CZC), including signature by a Division of Buildings Plan Reviewer. 3. One (1) copy of the application. 4. One (1) copy of the Environmental Assessment Form. 5. One (1) copy of an Instrument Survey Map. 6. Five (5) copies of a scaled site plan (see attached checklist). 7. One (1) copy of a scaled floor plan. 8. One (1) copy of scaled elevations of proposed structures, or facade renovations to existing structures. 9. One (1) copy of site plan, floor plan, elevation or other drawing no larger than 8-1/2" x 11". 10. Photographs of existing structures, the site and surrounding properties. 11. For projects in the Center City District, Design criteria checklist and accompanying description of minor deviations.
Office Use	<input type="checkbox"/> <u>MAJOR SITE PLAN REVIEW REQUIREMENTS:</u>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<u>All of the above documents, 2-11, plus:</u> 1. Fee: \$500.00. 2. Site Section Schematics, superimposed photography, color renderings, or other type of visual aids depicting the proposed development in as-built condition within the site and surrounding neighborhood. 3. Electronic copy of the site plan and elevations.
<u>IMPORTANT</u>	
♦ Applications must be submitted in the appropriate number as specified above. ♦ All plans must be stamped by a design professional licensed in the State of New York.	

WHAT IS SITE PLAN REVIEW?

Some projects, although generally suitable for a particular location, are capable of adversely impacting surrounding properties and/or the community because of their design, character, nature, size or complexity. Site Plan Review is a way for the City to review and assess an application's attention to critical design elements.

[FOR OFFICE USE ONLY]

ADDRESS: _____ **FILE NUMBER:** _____
DATE FILED: _____ **FEE:** _____

COMMON APPLICATION QUESTIONS

WHAT IS THE REVIEW PROCESS?

1. A Staff Planner will be assigned to your project at a meeting of the Division of Zoning's Site Plan Review Committee. That planner will contact you to introduce him/herself, provide you with their phone number, explain the process, and answer questions.
2. The project will be referred as necessary to various city departments, and other agencies and to the Official Neighborhood Contact for comments and recommendations.
3. If your application is for Major Site Plan Review and requires a referral to the Project Review Committee (PRC), a meeting will be scheduled and notices distributed. Meetings of the PRC are open to the public and the applicant. The PRC makes its recommendation to the Director of Zoning.
4. The Staff Planner will process information received from the referral agencies, review the project for code compliance, and either prepare Preliminary Findings, a prerequisite to additional approvals, or a Final Decision for cases that do not require additional approvals.

WHO CAN I CALL IF I HAVE QUESTIONS?

The Staff Planner assigned to the project will contact you and provide you with contact information.

WHAT DO I DO ONCE THE APPLICATION IS APPROVED?

1. Site Plan Approval only does not authorize the commencement of work. A Site Plan Approval package containing a letter specifying the conditions of the approval and a copy of the approved site plan, will be sent to you by mail. The applicant is required to bring this approval package to the Permit Office, City Hall, Room 121B to obtain the required permit(s).
2. A financing plan with an **Irrevocable Letter of Credit**, or other form of security, may be required to ensure the completion of certain site improvements. In addition to the Letter of Credit; when required, the applicant must file a fully executed agreement in the form provided by the City of Rochester. These documents must be filed prior to the issuance of any permits.
3. Site Plan Approval will expire within six (6) months of the receipt of the decision if a building permit is not obtained and maintained. The applicant may request an extension in writing from the Director of Zoning **prior to** the expiration of the approval.

WHAT HAPPENS IF THE APPLICATION IS DENIED?

If the Director of Zoning has denied your application, and has suggested alternatives, you may submit a new application with a revised site plan incorporating these alternatives.

The applicant or any person aggrieved by a decision to deny a Site Plan application may, within 30 days of the issuance of the denial letter, file a written request with the Director of Zoning asking that the application be referred to the City Planning Commission for review and decision. The decision of the City Planning Commission is final.



**BUREAU OF BUILDINGS AND ZONING
CITY HALL, 30 CHURCH STREET, ROOM 125-B
ROCHESTER, NEW YORK 14614**

SITE PLAN CHECKLIST

Plan Component	For Development or Redevelopment of a Building	For a Parking Lot	For Plans Containing Sign(s)	For Plans Containing Landscaping	For Plans Involving Grading
Instrument Survey including Public Rights-of-Way	X	X	X	X	X
Proposed Structures	X		X	X	
Trash Storage	X				
Structures on Adjacent Properties	X	X	X	X	X
Existing and Proposed Grades	X	X		X	X
Floor Area Ratio	X				
Total Floor Area	X				
Lot Coverage	X	X			
Building Coverage	X				
Percent of Open Space	X	X			
Parking Layout including Drive Aisles and Queuing Areas		X			
Loading Spaces	X	X			
Existing and Proposed Driveways and Curb Cuts	X	X			
Curbing	X	X		X	
Pedestrian Circulation Elements	X	X		X	
Bicycle Parking	X	X			
Snow Storage for Parking lots over 10 Spaces		X			
Existing and Proposed Lighting	X	X	X	X	
Existing Natural and Topographic Features	X	X	X	X	X
Existing and Proposed Signs	X	X	X		
Proposed Landscaping, Fencing, Screening Elements and Maintenance Plan	X	X	X	X	X
Setback Dimensions and Relations of Yard Dimensions to Height of Buildings	X	X	X		

PROJECT INFORMATION

PLEASE TYPE OR PRINT

1. PROJECT ADDRESS(ES): _____

2. APPLICANT: _____ COMPANY NAME: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

INTEREST IN PROPERTY: Owner _____ Lessee _____ Other _____

3. PLAN PREPARER: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

4. ATTORNEY: _____

ADDRESS: _____ CITY: _____ ZIP CODE: _____

PHONE: _____ FAX: _____

5. ZONING DISTRICT: _____

6. DETAILED PROJECT DESCRIPTION (additional information can be attached): _____

8. LENGTH OF TIME TO COMPLETE PROJECT (Attach schedule if phased:) _____

APPLICANT: I certify that the information supplied on this application is complete and accurate, and that the project described, if approved, will be completed in accordance with the conditions and terms of that approval.

SIGNATURE: _____ **DATE:** _____

OWNER (if other than above): I have read and familiarized myself with the contents of this application and do hereby consent to its submission and processing.

SIGNATURE: _____ **DATE:** _____

ZONING – PLANNED DEVELOPMENT DISTRICT

Zoning – Planned Development District may also be viewed on-line at www.cityofrochester.gov.

Look for the link “City Code Online” From there go to Chapter 120, Article XVII – Planned Development District.

ARTICLE XVII, PD Planned Development District

§ 120-122. Purpose.

The PD Planned Development Districts recognize a defined area for unified and integrated development and are intended to create more flexible development opportunities than would be possible through the strict application of the land use and development regulations of this chapter. Planned Development Districts allow diversification in the uses permitted and variation in the relationship of uses, structures, and open spaces and are conceived as cohesive unified projects with unique standards and regulations. The Zoning Map may be amended from time to time, by ordinance duly enacted by the City Council, to provide for planned development districts upon approval of a development concept plan as set forth herein. Planned Development Districts shall achieve the following objectives:

- A. An alternative development pattern in harmony with the objectives of various City and regional land use and development plans.
- B. A creative use of land and related physical development allowing an orderly transition from one land use to another.
- C. Diversification in the uses permitted and variation in the relationship of uses, structures, open spaces and height of structures in developments conceived as cohesive unified projects.
- D. Unique standards for site and building design.
- E. The preservation and enhancement of desirable site characteristics, such as open space, natural topography, vegetation and geologic features and the prevention of soil erosion.

§ 120-123. Location.

The Planned Development District shall be applicable to any area of the City of Rochester where the applicant can demonstrate that the characteristics of the development will satisfy the intent and objectives of this chapter. Where a planned development is deemed appropriate, the rezoning of land to a Planned Development District will replace all use and dimensional specifications contained elsewhere in this chapter.

§ 120-124. District ownership and size,

- A. All owners of the tract shall be included as joint applicants on all applications, and all

approvals shall bind all owners. The violation of any owner as to any tract shall be deemed a violation as to all owners and all tracts.

- B. No PD District shall be established having an area of less than two contiguous acres.

§ 120-125. Requirements and standards.

- A. The requirements and standards for a Planned Development District shall be determined for each individual project. At a minimum, the Planned Development District shall include:
- (1) Purpose statement that includes how the project meets the objectives of this chapter;
 - (2) Uses;
 - (3) Lot, area and yard dimensions;
 - (4) Floor area ratios or lot coverage limitations;
 - (5) Building characteristics;
 - (6) Open space;
 - (7) Parking;
 - (8) Unless otherwise addressed in the development concept plan, the applicable city-wide design guidelines and standards (Article XIX) and requirements applying to all districts (Article XX) in this chapter shall apply to all uses in the PD District.
- B. Planned developments shall be served adequately by, and shall not impose an undue burden upon, essential public facilities and services such as highways, streets, traffic control signals and devices, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools. Where any such facility or service is not available or adequate to service the planned development, the applicant shall be responsible for establishing his or her ability, willingness and binding commitment to provide such facilities and services.
[Amended 2-14-2006 by Ord. No. 2006-22]
- C. All covenants, deed restrictions, easements and similar restrictions to be recorded in connection with a Planned Development District shall provide that they may not be modified, removed or released without the express consent of the City Council and shall provide that they may be enforced by the City of Rochester in addition to the landowners within the Planned Development Districts. Additionally, such documents shall require expiration and reverter language to remedy nonperformance.

§ 120-126. Procedures for planned development districts.

A. Development concept plan approval and amendments.

- (1) Development concept plan. The development concept plan is any plan hereinafter adopted by the City Council, after notice and a public hearing, for the development or redevelopment of an area with specific geographic boundaries, which clearly identifies the purposes of the development or redevelopment and involves one or more elements of land acquisition, site clearance, rehabilitation or construction of buildings, construction or reconstruction of public improvements and land disposition and which is specifically designated a "development concept plan" for purposes of this chapter.
- (2) The applicant shall provide a development concept plan showing in its entirety the basic scope, character and nature of any proposed planned development district or amendment thereof of a previously approved development concept plan. The development concept plan or amendment to a development concept plan shall include:
 - (a) The categories of uses to be permitted;
 - (b) The overall maximum density of residential uses and intensity of nonresidential uses;
 - (c) The general location of:
 - [1] Vehicular and pedestrian circulation systems;
 - [2] Extent of public and private open space;
 - [3] Extent of utility systems; and
 - [4] Residential and nonresidential structures.
 - (d) The existing and proposed ownership and management of the planned development district, including the buildings, landscaped areas and open spaces.
- (3) The applicant may, at its option, submit an incremental development plan in accordance with § 120-126B for the planned development district simultaneously with the submission of the development concept plan. In such case, the applicant shall comply with all provisions of this chapter applicable to submission of the development concept plan and to submission of the incremental development plan.
- (4) Action by the Director of Zoning. The development concept plan for proposed planned developments, amendments to existing planned developments and incremental development plans shall be subject to site plan review in accordance with § 120-191D.
- (5) Action by Planning Commission.

- (a) Review by the Planning Commission of planned development districts or amendments shall follow the procedures for zoning text or map amendments set forth in § 120-190C.
 - (b) In considering the development concept plan and formulating its recommendations, the Planning Commission shall specifically address the objectives and standards made applicable to the proposed planned development district by §§ 120-122 and 120-125.
- (6) Action by City Council.
- (a) Within 40 days following the receipt by the City Council of the report of the Planning Commission, or its failure to act as above provided, the City Council shall conduct a public hearing. The City Council shall:
 - [1] Deny the development concept plan;
 - [2] Refer it back to the Planning Commission for further consideration of specified matters; or
 - [3] By ordinance duly adopted, approve the development concept plan, with or without modifications to be accepted by the applicant as a condition of such approval, and amend the Zoning Map of the City to designate the area included in the approved plan as "Planned Development District Number _."
 - [a] If the development concept plan is approved with conditions, the Zoning Map shall not be amended until the applicant has filed with the Director written consent to such conditions.
 - [b] In the event that a development concept plan is approved, or approved with conditions acceptable to the applicant, no development shall be permitted unless and until an incremental development plan has been submitted and approved in accordance with the provisions of this chapter.

B. Incremental development plan approval.

- (1) Incremental development plan. The incremental development plan is a plan showing development occurring wholly within the boundaries of an approved planned development district which complies with all of the standards and requirements of the development concept plan approved for the district.
- (2) All incremental development plan approvals shall require site plan approval as set forth in § 120-191. Application requirements are set forth in § 120-189E(1).
- (3) In addition to the requirements of site plan approval, if the Director finds substantial conformity with the development concept plan and finds the incremental development

plan to be in all other respects complete and in compliance with any conditions imposed by approval of the development concept plan, the Director shall approve the incremental development plan. An incremental development plan shall be deemed not to be in substantial conformity with an approved development concept plan if it:

- (a) Exceeds by more than 10% the maximum parking, height, lot coverage or yard requirements approved for the planned development district;
 - (b) Decreases by more than 10% the area approved for public and private open space or significantly changes the general location of such areas;
 - (c) Substantially relocates approved public circulation elements to any extent that would significantly decrease their functionality, adversely affect their relation to surrounding lands and circulation elements, or significantly reduce their effectiveness as buffers or amenities;
 - (d) Significantly alters the arrangement of land uses within the planned development district;
 - (e) Provides for uses not included in the approved development concept plan; or
 - (f) Exceeds the maximum density for residential uses and the maximum floor area ratio for nonresidential uses.
- (4) Amendments to an incremental development plan. An approved incremental development plan may be amended or varied by submitting a new site plan to the Director of Zoning in accordance with § 120-191D(5)(e). In the case that the adjustments exceed the thresholds established for the Director of Zoning by the development concept plan, the development concept plan must be amended as provided in this section for original development concept plan approval.
- C. Limitations to approvals.
- (1) A development concept plan shall become null and void one year after the filing date with the City Clerk, and the zoning district shall revert to the prior zoning district if an incremental development plan is not submitted for approval.
 - (2) An incremental development plan approval shall become null and void six months after the date on which it was issued unless a building permit is obtained and maintained.
- D. Appeal.
- (1) Appeals of a decision by the Director of Zoning on an incremental development plan shall be taken to the City Planning Commission within 30 days of the decision.
 - (2) An appeal from any final decision of the Planning Commission as to any matter

regarding the planned development district may be taken within 30 days of the filing of such decision by any person aggrieved or by any authorized officer, department, bureau, board or commission of the City in accordance with Article 78 of the New York Civil Practice Law and Rules.

E. Current plan submission.

- (1) Current plan. The current plan is a complete, comprehensive and permanent public record of a planned development district. The current plan is intended only to put in final form the information contained in the development concept plan and shall conform to all prior approved and all approved conditions thereof resulting from the planned development district process. The current plan shall consist of a site map that reflects all approved incremental development as well as the development concept plan for all areas not yet approved through an incremental development plan. It shall also contain references to all development concept plan components outlined in § 120-126A.
- (2) A current plan must be submitted prior to any applications for amendments to the approved development concept plan or with request for approval of incremental development plans.

§ 120-127. Personal wireless telecommunication facilities (PWTF).

Personal wireless telecommunication facilities in the PD District shall be regulated as outlined in § 120-143, Personal wireless telecommunication facilities.

§ 120-128. (Reserved)